

Please add the following new claim 68:

68. A method of communicating with a station, comprising the steps of:
- monitoring a forward channel;
 - monitoring a reverse channel at an assigned predetermined time within a clear assessment interval; and
 - transmitting a reverse channel signal after detecting that said reverse channel is clear during said predetermined time.

Remarks

Claims 1-68 are now pending. Claims 1-67 are presented to the Examiner for reconsideration. New independent claim 68 has been added for consideration. Claims 1, 32, 55 and 68 are independent claims.

The Specification is sought to be amended to correct minor typographical and grammatical errors. Claims 1, 2, 6 and 30 are sought to be amended. A marked version of these amended claims is provided in Appendix A.

The foregoing Amendment is believed not to enter any new subject matter. Based on the above Amendment and the Remarks, Applicant respectfully requests that the Examiner reconsider and withdraw the outstanding rejections.

I. Rejection of Claims under 35 U.S.C. § 112, Second Paragraph

The Office Action indicates that claims 1-31 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 1, 2, 6 and 30 to overcome the rejections and respectfully requests that the rejections be withdrawn.

II. Rejection of Claims under 35 U.S.C. §§ 102 and 103

The Office Action indicates that claims 1-3, 5-7, 19, 24-25, 32-35, 40, 46, 50, 55-57, 61 and 66. were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,682,604 to Kash *et al.* (“Kashi”). Claims 4, 8-18, 23, 26-31, 36-39, 41-45, 49-54, 58-60, 62-63, 65 and 67 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kashi in view of U.S. Patent No. 5,677,909 to Hiede (“Hiede”). In addition, claims 20-22, 47-48 and 64 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kashi in view of U.S. Patent No. 5,299,198 to Kay (“Kay”).

Applicant respectfully traverses these foregoing rejections. Independent claim 1 recites: “a remote station that ... monitors a reverse channel during a clear channel assessment interval, and provides a reverse channel signal when said reverse channel is clear.” Independent claims 32, 55 and 68 similarly recite these features of the invention.

As discussed in the Specification, each remote station *monitors* a reverse channel during a clear channel assessment interval to ascertain whether any other remote station is transmitting and then transmits if the reverse channel is clear. *See, e.g.*, Specification, p. 3, ll. 13-16; Figures 2-5. Accordingly, the claimed invention requires only that the reverse channel be clear before a remote station can transmit.

The claimed invention does not require that a remote station receive data over the reverse channel from any of the other remote stations. One advantage of this claimed feature is that the invention operates successfully under adverse conditions where a reverse channel signal received from another remote is not of sufficient quality to receive useful data.

Kashi does not teach or suggest this claimed feature. Kashi discloses and requires that each remote unit (RTU) receive data (e.g., address, identity number (ID), priority parameter) from the other RTUs. See, e.g., Kashi, col. 2, ll. 26-40; col. 4, l. 22 to col. 5, l. 54; Figure 5.

That is, Kashi requires that each *monitoring* RTU be able to receive and understand the data from a transmitting RTU. In contrast to the claimed invention, a system in accordance with Kashi would not appear to be operable under adverse conditions where a signal received from another RTU is not of sufficient quality to receive useful data.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections under 35 U.S.C. §§102, 103.

Conclusion

Applicant respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. The Examiner is courteously invited to telephone the undersigned representative if he believes that an interview may be useful for any reason.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Cono A. Carrano', written over a horizontal line.

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Appendix A

Version of Claims with Markings

In accordance with 37 C.F.R. § 1.121(b), Applicant submits a marked version of claims 1, 2, 6 and 30, in order to indicate the changes Applicant has made to these claims.

1. (Amended) A system, comprising:

a base station [capable of providing] that provides a forward channel signal; and

a remote station [capable of monitoring for] that monitors said forward channel signal, [monitoring] monitors a reverse channel during a clear channel assessment interval, and [providing] provides a reverse channel signal when said reverse channel is clear.
2. (Amended) The system of claim 1, wherein said base station [is capable of receiving] receives information encoded on said reverse channel and wherein said remote station [is capable of receiving] receives information encoded on said forward channel.
6. (Amended) The system of claim 5, wherein said remote station is assigned a unique remote station address and wherein said remote station [is capable of accepting] accepts information encoded on said forward channel when said address of said forward channel matches said assigned unique remote station address.
30. (Amended) The system of claim 1, wherein said base station [is capable of synchronizing] synchronizes with said remote station.